

ENFORCEMENT REPORT TO THE COMMISSION FOR JANUARY 1995

March 29, 1995

DOCKET NO. 95-0493-RPT

PROGRAMS	FORMAL ACTIONS INITIATED BY EDR/PETITION, DRAFT ORDER FOR EXPEDITED CASES, OR NOTICE LETTER OF FORMAL ADMIN. PENALTY ACTION		AGREED ORDERS ADOPTED BY THE COMMISSION (MULTI-MEDIA CASES ARE REPORTED BY THE LEAD DIVISION)		FISCAL YEAR 1995 TOTAL ADMINISTRATIVE PENALTIES ASSESSED, DEFERRED, TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS, AND DOLLAR AMOUNT WHICH WILL BE SPENT ON SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs) IN ORDERS ISSUED BY THE TNRC (MULTI-MEDIA CASES ARE REPORTED BY THE LEAD DIVISION)			
	Month	FY	Month	FY	ASSESSED	DEFERRED	TOTAL PENALTY DUE GENERAL REVENUE OR DEDICATED FUNDS ¹	SEPs
AGRICULTURE	3	3	0	3	\$26,236.00	\$10,100.00	\$16,136.00	\$0.00
AIR	10	70	34	111	\$1,057,975.00	\$30,720.00	\$1,027,255.00	\$122,880.00
INDUSTRIAL AND HAZARDOUS WASTE	5	27	1	32	\$1,702,193.00	\$1,239,484.00	\$462,709.00	\$0.00
MUNICIPAL SOLID WASTE	2	11	2	6	\$84,760.00	\$10,400.00	\$69,760.00	\$9200.00
OCCUPATIONAL CERTIFICATION	10	19	1	6	\$25,250.00	\$2000.00	\$23,250.00	\$0.00
PETROLEUM STORAGE TANKS	4	20	0	99	\$140,530.73	\$3300.00	\$137,230.73	\$0.00
WATERSHED MANAGEMENT	14	46	8	47	\$352,630.00	\$74,480.00	\$278,150.00	\$12,000.00
WATER UTILITIES	3	13	15	27	\$14,090.00	\$0.00	\$14,090.00	\$0.00
TOTALS	51	209	61	331	\$3,403,664.73	\$1,370,484.00	\$2,028,580.73	\$144,080.00

¹ All penalties collected are paid into the State's General Revenue Fund with the exception of water well driller orders which are paid into the Water Well Driller's Fund.

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PROGRAMS	NOTICES OF VIOLATION (NOVS) ISSUED BY CENTRAL OFFICE		NOVS ISSUED BY FIELD OPERATIONS		CASES RESOLVED INFORMALLY - COMPLIANCE ACHIEVED THRU CENTRAL OFFICE ACTION WITHOUT ISSUANCE OF AN AGENCY ORDER		CASES BEING DEVELOPED IN ENFORCEMENT PROGRAMS ²	CASES BEING TRACKED FOR COMPLIANCE ³
	Month	FY	Month	FY	Month	FY	Total	Total
AGRICULTURE	24	68	1	3	0	1	5	17
AIR	N/A ⁴	N/A	128	696	2	22	441	958
INDUSTRIAL AND HAZARDOUS WASTE	8	32	32	89	4	33	431	298
MUNICIPAL SOLID WASTE	5	40	65	304	1	11	50	167
OCCUPATIONAL CERTIFICATION	19	75	N/A	N/A	9	29	44	1
PETROLEUM STORAGE TANKS	25	92	79	318	3	24	302	168
WATERSHED MANAGEMENT	3	34	86	295	7	51	280	247

² Cases which the enforcement programs in Central Office are working on in which agency action has not been filed yet. Agency action includes, orders issued, NOVs for those cases in which a formal action is not being pursued, corrective action directives, bilateral compliance agreements, or any other action which directs a facility to take action to achieve compliance within a specified period of time.

³ Includes all cases which the enforcement programs are tracking for compliance once an agency action (as defined in footnote 2) is finalized.

⁴ N/A = Not Applicable.

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WATER UTILITIES	382	2125	315	1205	8	31	337	175
TOTALS	466	2466	706	2910	34	202	1890	2031

PROGRAMS	PENDING FORMAL ENFORCEMENT ACTIONS FOR ADMINISTRATIVE ORDERS TO BE ISSUED BY THE TNRCC		CASES PENDING AT THE OFFICE OF THE ATTORNEY GENERAL ⁵	ATTORNEY GENERAL CASES RESULTING IN JUDGMENTS ⁶		CASES REFERRED FROM THE REGIONAL OFFICES OR CENTRAL OFFICE FOR ENFORCEMENT ACTION BY CENTRAL OFFICE STAFF	
	Total	Backlog	Total	Month	FY	Month	FY
AGRICULTURE	6	3	2	0	0	4	4
AIR	441	152	50	0	2	13	73
INDUSTRIAL AND HAZARDOUS WASTE	107	57	79	1	2	4	50
MUNICIPAL SOLID WASTE	32	4	42	0	3	3	38
OCCUPATIONAL CERTIFICATION	69	50	14	0	0	0	0
PETROLEUM STORAGE TANKS	319	133	6	0	0	23	96
WATERSHED MANAGEMENT	75	7	13	0	0	7	83
WATER UTILITIES	99	33	149	0	11	6	146

⁵ AG actions typically take from 6 months to 5 years from the date of referral to final judgment.

⁶ These numbers are obtained from the Attorney General's Office

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TOTALS	1148	439	355	1	18	60	490
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